

PUBLIC HEARING NOTICE

The Planning Commission of the City of San José will hold a Public Hearing on **Wednesday, June 15, 2005** to certify that the Final Environmental Impact Report (EIR) prepared for the project identified below has been completed in compliance with the California Environmental Quality Act (CEQA). This Public Hearing will be held in accordance with Title 21 of the San José Municipal Code.

The Public Hearing is to be in the City Council Chambers, on the second floor of City Hall, at 801 North First Street, San José, California, at **6:00 p.m.** or as soon thereafter as this item can be heard. You are welcome to attend and to speak on this issue. If you choose to challenge the decision on this Environmental Impact Report in court, you may be limited to only those issues you, or someone else, raised and discussed at the Public Hearing or in written correspondence delivered to the City at or prior to the Public Hearing.

The project being considered is:

FINAL ENVIRONMENTAL IMPACT REPORT for The project proposes to rezone the site from Heavy Industrial to A (PD) Planned Development Zoning District to allow the development of approximately 646,000 square feet of retail commercial uses. Specific tenants are not known at this time. The property currently contains the existing GE facility, which consists of office/manufacturing buildings, pavement, and limited landscaping. The project proposes to retain the office portion of the historic GE Motor Plant Building. File No.: PDC04-029. Council District: 7.

The Final Environmental Impact Report, including the City's responses to comments received during the Public Review Period (April 5, 2005 to May 19, 2005), is available for review Monday, Wednesday, Friday from 9:00 a.m. to 5:00 p.m., and Tuesday and Thursday from 10:00 a.m. to 5:00 p.m. at the Department of Planning, Building and Code Enforcement, 801 North First Street, Room 400, San José.

The certification of the Final EIR may be appealed in writing by any person prior to 5:00 p.m. on **Monday, June 20, 2005**. Such protest shall be filed at the Department of Planning, Building and Code Enforcement and shall include a statement specifying the basis of the appeal. An appeal of the certification of the Final EIR will be heard by the City Council at the earliest possible date.

It should be noted that the certification of a Final EIR does not constitute approval of the project for which it was prepared. The decision to approve or deny the project will be made separately as required by City Ordinance.

To arrange an accommodation under the Americans With Disabilities Act to participate in this public meeting, please call (408) 277-4576 (VOICE) or (408) 998-5299 at least 48 hours before the meeting.

Comments and questions regarding the EIR are welcome and should be referred to **Michael Rhoades** of the Department of Planning, Building and Code Enforcement (408) 277-4576. For your convenience, contact **Olga Guzman** at the same telephone number the week of the Public Hearing to verify that this item will be heard and is not scheduled for deferral to a later date.

Stephen M. Haase, AICP
Director, Planning, Building and Code Enforcement

Akoni Danielsén, Principal Planner

Date: May 24, 2005



Vicinity Map

Figure
2

PUBLIC HEARING NOTICE

The Planning Commission and the City Council of the City of San José will consider a **Rezoning, Special Use Permit and Tree Removal Permit** at a public hearing in accordance with Title 20 of the San José Municipal Code on:

Planning Commission Hearing

Wednesday, June 15, 2005

6:00 p.m.

City Council Chambers, Room 205

City Hall

801 North First Street

San Jose, CA 95110

City Council Hearing

Tuesday, June 21, 2005

7:00 p.m.

City Council Chambers, Room 205

City Hall

801 North First Street

San Jose, CA 95110

The projects being considered are located on a **55.4 gross acre site**, located on the **north side of Curtner Avenue between Monterey Road and Little Orchard Street (175 CURTNER AVENUE)** (General Electric Company, Owner/Developer). Council District 7.

SNI: **None**. CEQA: **EIR Resolution to be adopted**.

- 1. PDC04-029. Planned Development Rezoning to allow up to 646,000 square feet of commercial uses.**
- 2. SP05-015. Special Use Permit to allow the demolition of all existing buildings on-site except the motor plant building (Building E).**
- 3. TR05-055. Tree Removal Permit to allow the removal of up to 41 ordinance size trees (larger than 56 inches in circumference) of various sizes and species.**

Reports, drawings, and documents for this project are on file and available for review, and a permit with recommendations will be available for your review during the week of the public hearing from **9:00 a.m. to 5:00 p.m.**, Mondays, Wednesdays, Fridays, and from **10:00 a.m. to 5:00 p.m.** Tuesdays and Thursdays at:

Department of Planning, Building and Code Enforcement

801 North First Street, Room 400

San José, CA 95110

(408) 277-4576

<http://www.sanjoseca.gov/planning/index.htm>

You are welcome to attend and to speak on this issue. To arrange an accommodation under the Americans with Disabilities Act to participate in this meeting, please call (408) 277-4576 (Voice) at least 48 hours before the meeting.

** If you choose to challenge this land use decision in court, you may be limited to only those issues you, or someone else, raised and discussed at the public hearing or in written correspondence delivered to the City at or prior to the public hearing.*

Comments and questions are welcome and should be referred to the **Project Manager, Mike Enderby**, at the e-mail address: mike.enderby@sanjoseca.gov in the Department of Planning, Building and Code Enforcement. Please refer to the above file number for further information on this project.



Joseph Horwedel,

Deputy Director, Plan Implementation Division

Dated: **May 23, 2005**

Lee Price, CMC

City Clerk

Noticing Radius: **1000ft**

SECTION 20.120.400 OF THE SAN JOSE MUNICIPAL CODE ESTABLISHES A FORMAL PROTEST PROCEDURE FOR REZONINGS
AND PREZONINGS BEFORE THE CITY COUNCIL

If you are the owner of property to be rezoned, or if you own property adjacent to or across the street from a proposed rezoning or prezoning, you may file an Official Protest. Such protest must be made on a form provided by the Director of Planning and must be filed in the Department of Planning, Building and Code Enforcement **by 5:00 p.m.** on the fifth day before the City Council opens its public hearing on the proposal (that is, the Thursday before a Tuesday hearing). A separate protest petition shall be filed for each separate protesting site. Contact the Department of Planning, Building and Code Enforcement if you have any questions.